

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of FirstWorld
Orange Coast (U-5782-C) for Authority to
Transfer Customers and Terminate Local and
Interexchange Services.

Application 01-08-038
(Filed August 24, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING
REQUESTING FURTHER INFORMATION**

Section XIV of the Commission's General Order (GO) 96-A provides that: "No public utility of a class specified herein shall, unless authority has been obtained from the Commission, either withdraw entirely from public service or withdraw from public service in any portion of the territory served." The first notice to be sent by FirstWorld Orange Coast (Applicant) informs its customers that it will withdraw from service effective September 30, 2001. The notice mentions that this application was filed. However, it appears to be false and misleading because it leads customers to believe that Applicant can, and will, discontinue service on the specified date regardless of when, or if, the Commission approves the application. As a result, I am considering recommending to the Commission that Applicant pay reparations to the effected customers, pay fines for the violations, and have its Certificate of Public Convenience and Necessity (CPCN) revoked.

Therefore, **IT IS RULED** that FirstWorld Orange Coast shall file and serve the following by November 14, 2001.

- a. A copy of the actual first notice, and any subsequent notices addressing the withdrawal from service, and the dates they were, sent to customers.
- b. The number of affected customers currently remaining.
- c. If Applicant has conducted further service interruptions, describe them, and explain the reasons and authority for them.
- d. A full and complete explanation of why Applicant should not be found to have effectively withdrawn from service, by sending false and misleading notices to its customers, in violation of General Order (GO) 96-A, Section XIV.
- e. A full and complete explanation of why Applicant should not be fined for violation of GO 96-A, Section XIV as indicated above.
- f. A full and complete explanation of why Applicant should not be required to pay restitution to the affected customers for any increased costs paid by the customer to the receiving carrier for services comparable to the services the customer would have received if he or she had remained with Applicant.
- g. A full and complete explanation of why Applicant's Certificate of Public Convenience and Necessity (CPCN) should not be revoked for violations of GO 96-A, Section XIV, and its tariffs as indicated above. (The application is unclear as to whether Applicant wants to retain its CPCN.)

- h. Any other relevant information that Applicant believes should be considered by the Commission in addressing this application, including, but not limited to potential fines, restitution, and revocation of its CPCN.

Dated October 31, 2001, at San Francisco, California.

/s/ JEFFREY P. O'DONNELL

Jeffrey P. O'Donnell
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Requesting Further Information on all parties of record in this proceeding or their attorneys of record.

Dated October 31, 2001, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.